

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 05-2028

UNITED STATES OF AMERICA

v.

DAVID WAYNE HULL,

Appellant

On Appeal from the United States District Court
for the Western District of Pennsylvania
(D.C. Criminal No. 03-cr-00096-1)
District Judge: Honorable Gary L. Lancaster

Argued May 18, 2006

Before: RENDELL and VAN ANTWERPEN, Circuit Judges,
and ACKERMAN, District Judge*

JUDGMENT

This cause came to be heard on the record from the United States District Court for the Western District of Pennsylvania and was argued on May 18, 2006, on consideration whereof, it is now hereby

*Honorable Harold A. Ackerman, Senior United States District Judge for the District of New Jersey, sitting by designation.

ORDERED and ADJUDGED by this Court that the judgment of conviction and sentence of the District Court, is hereby VACATED as to Count 7, and the judgment of conviction is AFFIRMED as to all remaining Counts. This matter is REMANDED for proceedings consistent with the foregoing opinion.

All of the above in accordance with the opinion of this Court.

Attest:

/s/ Marcia M. Waldron
Clerk

DATED: July 28, 2006